

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JAGDISH MEHTA,

Plaintiff

v.

NUTRIBULLET, L.L.C., et al.,

Defendants

Case No.: 2:20-cv-01550-APG-DJA

**Order Accepting Report and  
Recommendation**

[ECF Nos. 48, 54]

On December 15, 2021, Magistrate Judge Albregts recommended that I grant the defendants' motion to strike with respect to paragraph 40 of the complaint but deny it in all other respects. ECF No. 54. No one objected. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

I THEREFORE ORDER that Magistrate Judge Albregts' report and recommendation (ECF No. 54) is accepted. The defendants' motion to strike (ECF No. 48) is GRANTED in part. The request for punitive damages in paragraph 40 in relation to the plaintiff's negligence claim is stricken from the complaint. The motion is denied in all other respects.

DATED this 6th day of January, 2022.



ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE